

89165.0014 Express Mail Label No. EV 325 215 323 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Anticipated Classification=

☐ Class <u>365</u>

of this Application: Subclass <u>185170</u>

Prior Application

Examiner: Connie C. Yoha

Art Unit: 2818

CONTINUATION APPLICATION TRANSMITTAL

Mail Stop PATENT APPLICATION Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

This is a request for filing a ⊠ continuation □ divisional application pursuant to 37 C.F.R. § 1.53(b), of pending prior application:

Serial No. 10/316,166 filed December 10, 2002, by Kenichi IMAMIYA and Koichi KAWAI (inventor(s) currently of record in prior application) for Non-Volatile Semiconductor Memory Device.

- Enclosed is a copy of the prior application, including the oath or declaration as originally filed, or a replacement specification which does not add new matter.
- The filing fee is calculated below: 2.

| | | CA | ALCULA | TION OF FEES | | | | | |
|------|---------------------------------------------------------------------------------|------------------------|--------|----------------------------|------------------------|------|-----------|----|-----------|
| ITEM | | TOTAL NO. OF CLAIMS | | NO. OF CLAIMS OVER BASE | LG/SM \$ ENTITY FEE | | \$ AMOUNT | \$ | FEE |
| Α | TOTAL CLAIMS FEE | 18 | -20 | 0 | LG=\$18 SM=\$9 | \$18 | \$ 0 | | 1 de 2013 |
| В | INDEPENDENT CLAIMS FEE* | 2 | -3 | 0 | LG=\$86 SM=\$43 | \$86 | \$ 0 | | |
| C | SUBTOTAL - ADDITIONAL CLAIMS FEE (ADD FINAL COLUMN IN LINES A + B) | | | | | | | \$ | 0 |
| D | MULTIPLE-DEPENDENT CLAIMS FEE LARGE ENTITY FEE = \$290 SMALL ENTITY FEE = \$145 | | | | | | | \$ | 0 |
| E | BASIC FEE LARGE ENTITY FEE = \$770 SMALL ENTITY FEE = \$385 | | | | | | | \$ | 770 |
| F | TOTAL FILING FEE (ADD TOTALS FOR LINES C, D, AND E) | | | | | | | \$ | 770 |
| | *LIST INDEPENDENT CLAIMS 21 and 30. | | | | | | | | |

| 3. | \boxtimes | The Commissioner is hereby authorized to charge any fees which may be required, or |
|----|-------------|------------------------------------------------------------------------------------|
| | | credit any overpayment to Account No. 50-1314. A copy of this sheet is enclosed. |

| 4. [|] A | check | in | the | amount | of | \$ | is | enclosed. |
|------|-----|-------|----|-----|--------|----|----|----|-----------|
|------|-----|-------|----|-----|--------|----|----|----|-----------|

| 5. | \boxtimes | Cancel in this application original claim(s) <u>2-20</u> of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.) | | | | | |
|-----------|-------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|--|--|--|
| 6. | \boxtimes | Amend the specification by inserting before the first line the sentence: | | | | | |
| | | This is a \boxtimes continuation \square divisional of application Serial No. <u>10/316,166</u> filed <u>December 10, 2002</u> , which application is hereby incorporated by reference in its entirety. | | | | | |
| 7a. | \boxtimes | New formal drawings are enclosed. | | | | | |
| 7b. | \boxtimes | Priority of application Serial No(s).: | | | | | |
| | | <u>Japanese</u> application Serial No. <u>2001-376032</u> filed <u>December 10, 2001</u> is claimed under 35 U.S.C. § 119. | | | | | |
| 7c. | \boxtimes | The certified copy of the priority application was filed in prior application Serial No. 10/316,166, filed December 10, 2002. | | | | | |
| 8. | \boxtimes | The prior application is assigned of record to: <u>KABUSHIKI KAISHA TOSHIBA</u> . | | | | | |
| 9. | \boxtimes | The power of attorney in the prior application is as listed on the attached copy of the declaration filed in the parent application. | | | | | |
| | | a. The power appears in the original papers in the prior application. | | | | | |
| | | b. Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed. | | | | | |
| | | c. Address all future communications to: | | | | | |
| | | Anthony J. Orler HOGAN & HARTSON L.L.P. Biltmore Tower 500 South Grand Avenue, Suite 1900 Los Angeles, CA 90071 Telephone: (213) 337-6700 Facsimile: (213) 337-6701 | | | | | |
| | | d. A new Associate Power of Attorney is enclosed. | | | | | |
| 10. | | A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.) | | | | | |
| 11. | | Applicant claims small entity status. See 37 CFR 1.27. | | | | | |
| | | Applicant no longer claims small entity status. | | | | | |

12. An Information Disclosure Statement listing 4 references is enclosed.

Date: April 13, 2004

Lawrence J. McClure Registration No. 44,228

HOGAN & HARTSON L.L.P. 500 South Grand Avenue, Suite 1900 Los Angeles, California 90071

Phone: 213-337-6700 Fax: 213-337-6701

PATENT

Attorney Docket No: 89165.0014

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| In re application of: | Art Unit: | Not assigned | | | | | |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|----------------------------|--|--|--|--|--|
| Kenichi IMAMIYA et al. | Examiner | Not assigned | | | | | |
| Serial No: Not assigned (parent 10/316,166) | | | | | | | |
| Filed: April 13, 2004 | | | | | | | |
| For: Non-Volatile Semiconductor Memory Device | | | | | | | |
| CERTIFICATE OF MAILING VIA U.S. EXPRESS MAIL "Express Mail" Mailing Label No. EV 325 215 323 US Date of Deposit: April 13, 2004 | | | | | | | |
| Mail Stop PATENT APPLICATION Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 | | | | | | | |
| Dear Sir: | | | | | | | |
| I hereby certify that | | | | | | | |
| are being deposited with the United States Postal Service "Express Mail Post Office to Addressee' service with sufficient postage under 37 C.F.R. § 1.10 on the date indicated above and are addressed to: | | | | | | | |
| Mail Stop PATENT APPLICATIO Commissioner for Patents P.O. Box 1450 Arlington, VA 22313-1450 | N . | | | | | | |
| Date: April 13, 2004 | | o Gallardo | | | | | |
| Hogan & Hartson, LLP 500 South Grand Avenue, Suite 1900 Los Angeles, California 90071 Telephone: 213-337-6700 Facsimile: 213-337-6701 | 1/W | n mailing papers nature | | | | | |